

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

RITA HUSKE

Plaintiff,

VS.

TYSON FOODS, INC.

Defendant.

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Case No. 4:12cv583

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

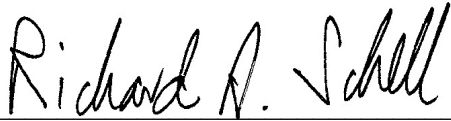
Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On October 29, 2013, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendant Tyson Foods, Inc.'s Motion for Summary Judgment (Dkt. 18) be DENIED.

The court has made a *de novo* review of the objections raised by Defendant, as well as Plaintiff's response, and is of the opinion that the findings and conclusions of the Magistrate Judge are correct and the objections are without merit as to the ultimate findings of the Magistrate Judge. The court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this court.

Therefore, Defendant Tyson Foods, Inc.'s Motion for Summary Judgment (Dkt. 18) is DENIED.

IT IS SO ORDERED.

SIGNED this the 23rd day of December, 2013.



RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE